

1 STATE OF NEVADA
2 DEPARTMENT OF BUSINESS AND INDUSTRY
3 DIVISION OF MORTGAGE LENDING

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5 In re:
6 C2CL, Inc., dba Mayflower Financial
7 Respondent(s).

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10 **NOTICE OF INTENT TO IMPOSE FINE AND**
11 **NOTICE OF RIGHT TO REQUEST HEARING**

12 The licensing and regulation of mortgage brokers and mortgage agents in the State of
13 Nevada is governed by Chapter 645B of the Nevada Revised Statutes (hereinafter, "NRS")
14 and Chapter 645B of the Nevada Administrative Code (hereinafter, "NAC"). The State of
15 Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter, the
16 "Division") has the general duty to exercise supervision and control over mortgage brokers
17 and mortgage agents, as well as mortgage brokering activity. See, NRS 645B.060(1), NRS
18 645B.690(1)(a) and NRS 645B.670. Pursuant to that authority, the Division makes the
19 following Factual Allegations, Violations of Law, and Order as follows:

20 **FACTUAL ALLEGATIONS**

21 1. Upon information and belief, C2CL, Inc., dba Mayflower Financial (hereinafter,
22 "Respondent") is currently incorporated in the State of Nevada and currently licensed to operate
23 as a mortgage broker in the State of Nevada.

24 2. Upon further information and belief, Jennifer Callen Presley was and currently is
25 the Qualified Employee of RESPONDENT.

26 3. On September 24, 2008, the Division received a Complaint alleging Respondent
27 allowed Peter Mills to originate a mortgage loan (Moore/Swift) without being licensed as either a
28 mortgage agent or mortgage broker in Nevada.

1 4. After receiving the Complaint regarding Respondent, the Division commenced an
2 investigation, the results of which established Respondent employed Peter Mills and allowed
3 him to originate the Moore/Swift mortgage loan in the State of Nevada while not being licensed
4 with the Division. The Division also confirmed the Respondent employed Diane Mills and
5 allowed her to originate the Lane mortgage loan in the State of Nevada while not being licensed
6 with the Division.

7 5. Pursuant to NRS 645B.060, the Division is charged with conducting "...such
8 investigations as may be necessary to determine whether any person has violated any provision
9 of this chapter, a regulation adopted pursuant to this chapter or an order of the Commissioner."
10 See, NRS 645B.060(2)(c).

11 6. Pursuant to NRS 645B.610, the Division is further charged with investigating
12 "...each violation alleged in [a] complaint..." received by the Division and "...shall determine
13 from the investigation whether there is reasonable cause to believe that the [accused]
14 committed the alleged violation..." See, NRS 645B.610(1)(3).

15 7. Pursuant to NRS 645B.0127, a "mortgage broker" is defined, in pertinent part, as
16 "...a person who directly or indirectly... holds himself out for hire to serve as an agent for any
17 person in an attempt to obtain a loan which will be secured by a lien on real property..." or
18 "...holds himself out as being able to make loans secured by liens on real property..." See,
19 NRS 645B.0127(1)(a)(c).

20 8. Pursuant to NRS 645B.0125, a "mortgage agent" is defined, in part, as "...a
21 natural person who... is an employee or independent contractor of a mortgage broker who is
22 required to be licensed pursuant to this chapter..." and "...is authorized by the mortgage broker
23 to engage in, on behalf of the mortgage broker, any activity that would require the person, if he
24 were not an employee or independent contractor of the mortgage broker, to be licensed as a
25 mortgage broker pursuant to this chapter..." See, NRS 645B.0125 (1)(a)(b).

26 9. Pursuant to NRS 645B.450(2), "A mortgage broker shall not associate with or employ a
27 person as a mortgage agent or authorize a person to be associated with the

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1 mortgage broker as a mortgage agent if the mortgage agent is not licensed with the Division
2 pursuant to NRS 645B.410".

3 10. Pursuant to NRS 645B.670(2)(c), "...for each violation committed by a
4 mortgage broker, the Commissioner may impose upon the mortgage broker an administrative
5 fine of not more than \$10,000, may suspend, revoke or place conditions upon his license, or
6 may do both, if the mortgage broker, whether or not acting as such... [D]oes not conduct his
7 business in accordance with law or has violated any provision of this chapter, a regulation
8 adopted pursuant to this chapter or an order of the Commissioner. See, NRS
9 645B.670(2)(c).

10 **VIOLATIONS OF LAW**

11 1. Having investigated the Respondent's conduct in this matter and received
12 competent evidence that Respondent employed Peter and Diane Mills to originate mortgage
13 business in the State of Nevada while unlicensed, it has been determined that Respondent
14 did in fact violate NRS 645B.450(2).

15 **ORDER**

16 **NOW, THEREFORE, the COMMISSIONER of the DIVISION HEREBY ORDERS**
17 pursuant to NRS 645B.750 , upon written application to the Division, Respondent shall be
18 entitled to a hearing with regard to the contents of this Order. At that hearing the Division will
19 also seek to impose a fine of Twenty Thousand Dollars and no Cents (\$20,000.00) for
20 Respondent's violations of NRS Chapter 645B. The Division will also seek to impose
21 investigative costs in the amount of Seven Hundred Eighty Five Dollars and no Cents
22 (\$785.00) and attorney's fees, if any incurred herein, to be proven at the hearing.

23 Should Respondent not request a hearing with **twenty (20) days** of the receipt of this
24 Order, the Division will enter a Final Order in this matter against Respondent including such
25 fine, costs and fees.

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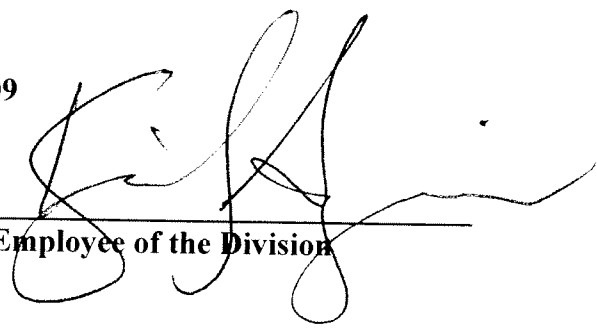
CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending, and that on July 1, 2009, I deposited in the U.S. mail, postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing, NOTICE OF INTENT TO IMPOSE FINE AND NOTICE OF RIGHT TO REQUEST HEARING for MAYFLOWER FINANCIAL, addressed as follows:

Jennifer Callen-Presley
Mayflower Financial
6345 S. Jones Blvd, Ste.300
Las Vegas, NV 89118

Certified Receipt Number: 7006 2760 0000 0875 9001

DATED this 1st day of July, 2009

By: 
Employee of the Division